

UTILITIES DIVISION[199]

Adopted and Filed

Pursuant to Iowa Code sections 17A.4, 476.1, 476.1B, 476.2, 476A.12, 478.19, and 478.20, the Utilities Board (Board) gives notice that on March 9, 2017, the Board issued an order in Docket No. RMU-2016-0009, *In re: Review of Iowa Electrical Safety Code Rules [199 IAC Chapter 25]*, “Order Adopting Amendments,” amending the Board’s rules that comprise the Iowa Electrical Safety Code. The order adopted amendments with additional nonsubstantive editorial revisions to add a new Item 3 and make changes to Item 5, herein renumbered as Item 6, to replace references to the 2012 version of the National Electrical Safety Code (NESC) with references to the 2017 version of that code.

These amendments were published under Notice of Intended Action in the Iowa Administrative Bulletin in Vol. XXXIX, No. 11 (11/23/16) p. 1031, as **ARC 2815C**.

These amendments update references to the NESC to specify that the Board is adopting the 2017 version of that code. These amendments also clarify rules regarding utility inspection plans, record-keeping requirements, incident-reporting requirements, and public information campaigns regarding hazards of constructing grain bins near power lines.

The Board received written comments in response to the Notice of Intended Action from MidAmerican Energy Company (MidAmerican); ITC Midwest, LLC (ITC); and the Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice. Written comments were also received in response to a preliminary “Order Requesting Stakeholder Comment on Potential Rule Changes” issued on August 5, 2016, from MidAmerican, ITC, OCA, and Interstate Power and Light Company. MidAmerican, ITC, OCA, and the Iowa Association of Electric Cooperatives appeared at the oral presentation held on January 24, 2017. Oral and written comments have been generally supportive of the amendments.

The order adopting amendments and approving this Adopted and Filed rule making can be found on the Board’s Electronic Filing System (EFS) Web site, <http://efs.iowa.gov>, in Docket No. RMU-2016-0009.

After analysis and review, the Board tentatively concludes that the adopted amendments will not have a detrimental effect on jobs in Iowa.

These amendments are intended to implement Iowa Code sections 17A.4, 476.1, 476.1B, 476.2, 476A.12, 478.19, and 478.20.

These amendments will become effective on May 3, 2017.

The following amendments are adopted.

ITEM 1. Amend subrule 25.2(1) as follows:

25.2(1) *National Electrical Safety Code*. The American National Standards Institute (ANSI) ~~€2-2012~~ **C2-2017**, “National Electrical Safety Code” (NESC), including issued Correction Sheets, is adopted as part of the Iowa electrical safety code, except Part 4, “Rules for Operation of Electric Supply and Communications Lines and Equipment,” which is not adopted by the board.

ITEM 2. Amend subrule 25.2(2), introductory paragraph, as follows:

25.2(2) *Modifications and qualifications to ~~ANSI C2~~ the NESC*. The standards set forth in ~~ANSI C2~~ the NESC are modified or qualified as follows:

ITEM 3. Amend subparagraph **25.2(2)“b”(4)** as follows:

(4) Except for clearances near grain bins, for measurements made under field conditions, the board will consider compliance with the overhead vertical line clearance requirements of Subsection 232 and Table 232-1 of the 1987 NESC indicative of compliance with the 1990 through ~~2012~~ **2017** editions of the NESC. (For an explanation of the differences between 1987 and subsequent code edition clearances, see Appendix A of the 1990 through ~~2012~~ **2017** editions of the NESC.)

ITEM 4. Amend paragraph **25.2(2)“d”** as follows:

d. Rule ~~217C.1~~ **217C1** is changed to read:

“The ground end of anchor guys exposed to pedestrian or vehicle traffic shall be provided with a substantial marker not less than eight feet long. The guy marker shall be of a conspicuous color such as yellow, orange, or red. Green, white, gray or galvanized steel colors are not reliably conspicuous against plant growth, snow, or other surroundings. Noncomplying guy markers shall be replaced as part of the utility’s inspection and maintenance plan.”

ITEM 5. Amend paragraph **25.2(2)“f”** as follows:

f. There is added to the first paragraph of Rule ~~410A1~~ 110A1, after the sentence stating, “Entrances not under observation of an authorized attendant shall be kept locked,” the following sentences:

Entrances may be unlocked while authorized personnel are inside. However, if unlocked, the entrance gate must be fully closed, and must also be latched or fastened if there is a gate-latching mechanism.

ITEM 6. Amend subrule 25.2(3) as follows:

25.2(3) Grain bins.

a. Electric utilities shall conduct or participate in annual public information campaigns to inform farmers, farm lenders, grain bin merchants, and city and county zoning officials of the hazards of and standards for construction of grain bins near power lines. ~~Where drawings and formulas from the NESC are used as part of public information campaigns, they are to be based on the “Errata to 2012 Edition National Electrical Safety Code” Correction Sheet issued February 6, 2012.~~

b. An electric utility may refuse to provide electric service to any grain bin built near an existing electric line which does not provide the clearances required by the American National Standards Institute (ANSI) ~~C2-2012~~ C2-2017 “National Electrical Safety Code,” Rule 234F. This paragraph “*b*” shall apply only to grain bins loaded by portable augers, conveyors or elevators and built after September 9, 1992, or to grain bins loaded by permanently installed augers, conveyors, or elevator systems installed after December 24, 1997.

ITEM 7. Amend subrule 25.3(2) as follows:

25.3(2) Annual report. Each utility shall include as part of its annual report to the board, as required by 199—Chapter 23, certification of compliance with each area of the inspection and maintenance plan required by subrule 25.3(1) or a detailed statement on areas of noncompliance.

ITEM 8. Amend subrule 25.3(4) as follows:

25.3(4) Records. Each utility shall keep sufficient records to demonstrate compliance with its inspection and vegetation management plans. For each inspection unit, the records of line and substation inspections and pole inspections shall include the inspection date(s), the findings of the inspection, and the disposition or scheduling of repairs or maintenance found necessary during the inspection. For each inspection unit, the records of vegetation management shall include the date(s) during which the work was conducted. The records shall be kept until two years after the next periodic inspection or vegetation management action in the inspection and maintenance plan cycle is completed or until all necessary repairs and maintenance are completed, whichever is longer.

ITEM 9. Amend subrule 25.5(3) as follows:

25.5(3) The board shall be notified immediately, or as soon as practical thereafter, by e-mail to the board duty officer at dutyofficer@iub.iowa.gov or, ~~in appropriate circumstances~~ if e-mail service is not available, by calling (515)745-2332. The person contacting the board shall leave a telephone number of a person who can provide the following information:

a. The name of the company, the name and telephone number of the person making the report, and the name and telephone number of a contact person knowledgeable about the incident.

b. The location of the incident.

c. The time of the incident.

d. The number of deaths or personal injuries requiring in-patient hospitalization and the extent of those injuries.

e. Initial estimate of damages.

f. A summary of the significant information available regarding the probable cause of the incident and extent of damages.

g. Any oral or written report made to a federal agency, the agency receiving the report, and the name and telephone number of the person who made or prepared the report.

ITEM 10. Amend subrule 25.5(4) as follows:

25.5(4) Written incident reports. Within 30 days of the date of the incident, the owner or operator shall file a written report with the board. The report shall include the information required for ~~telephone~~ notice in subrule 25.5(3), the probable cause as determined by the company, the number and cause of any deaths or personal injuries requiring in-patient hospitalization, and a detailed description of property damage and the amount of monetary damages. If significant additional information becomes available at a later date, a supplemental report shall be filed. Duplicate copies of any written reports filed with or submitted to a federal agency concerning the incident shall also be provided to the board.

[Filed 3/9/17, effective 5/3/17]

[Published 3/29/17]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/29/17.